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THE ANDHRA PRADESH GAZETTE

PUBLISHED BY AUTHORITY

PART V EXTRAORDINARY

No.8

AMARAVATI, THURSDAY, MAY 12, 2022

G.311

STATUTORY NOTIFICATIONS OF THE ELECTION COMMISSION OF INDIA AND OTHER ELECTION NOTIFICATIONS

--X--

NOTIFICATIONS BY GOVERNMENT GENERAL ADMINISTRATION (ELECTIONS) DEPARTMENT

--X--

GENERAL ELECTION TO THE ANDHRA PRADESH LEGISLATIVE ASSEMBLY, 2019 – DISQUALIFICATION ORDER OF THE CONTESTING CANDIDATES – REPUBLISHED.

[Memo. No.1721/Elecs.A/A1/2021-14, Office of the Chief Electoral Officer, Andhra Pradesh, Dated:11.05.2022]

The following Order of the Election Commission of India, New Delhi, No.76/AP-LA/2020, dated 9th May, 2022 / 19Vaisakha, 1944 (Saka) is re-published:-

ORDER

WHEREAS, the General Election for **140-Banaganapalle** Assembly Constituency of Andhra Pradesh Legislative Assembly, 2019 was announced by the Election Commission of India vide Press Note No. ECI/PN/23/2019, dated 10th March, 2019; and

WHEREAS, as per Section 78 of the Representation of the People Act, 1951, every contesting candidate has to lodge a true copy of his account of election expenses within 30 days with the concerned District Election Officer, from the date of election of the returned candidate; and

WHEREAS, the result of the election for **140-Banaganapalle** Assembly Constituency was declared by the Returning Officer on 23rd May, 2019 and hence the last date for lodging the account of Election Expenses was 22nd June, 2019; and

WHEREAS, as per the report dated 22nd June, 2019 submitted by the District Election Officer, Kurnool District, Andhra Pradesh, **Shri/Smt/Km/Ms. Gopagi Satyamanna**, a contesting candidate from **140- Banaganapalle** Assembly Constituency, 2019 from Andhra Pradesh has failed to lodge account of election expenses, as required under law; and

WHEREAS, on the basis of the said reports of the District Election Officer, Kurnool, a Show-Cause notice No. **76/AP-LA/2020/140**, dated **22nd February, 2021** was issued under sub rule (5) of Rule 89 of the Conduct of Elections Rules, 1961 by the Election Commission of India to **Shri/Smt/Km/Ms. Gopagi Satyamanna**, for not lodging of account of Election Expenses; and

WHEREAS, through the above said Show Cause Notice and under sub rule (6) of Rule 89 of the Conduct of Elections Rules, 1961, **Shri/Smt/Km/Ms. Gopagi Satyamanna**, was directed to submit representation in writing to the Commission explaining the reason for not lodging the account and also to lodge account of election expenses with the District Election Officer, Kurnool within 20 days from the date of receipt of the notice; and

WHEREAS, the District Election Officer, Kurnool, has reported that the said notice was served to **Shri/Smt/Km/Ms. Gopagi Satyamanna**, on **03.04.2021**; and

WHEREAS, the District Election Officer, Kurnool in his supplementary report, dated **01.04.2022** reported that **Shri/Smt/Km/Ms. Gopagi Satyamanna**, has not submitted any account of election expenses. Further, after receipt of the said notice, **Shri/Smt/Km/Ms. Gopagi Satyamanna**, has neither furnished any reason nor explanation to the Election Commission of India, for failure to lodge the account as prescribed under law; and

WHEREAS, Section 10 A of the Representation of the People Act, 1951 provides that:-

“If the Election Commission is satisfied that a person-

- a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and*
- (b) has no good reason or justification for the failure,*
- the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.*

WHEREAS, on the basis of facts and available records, the Commission is satisfied that **Shri/Smt/Km/Ms. Gopagi Satyamanna**, has failed to lodge account of election expenses and has no good reason or justification for the failure to do so; and

NOW, THEREFORE, in pursuance of Section 10A of the Representation of the People Act, 1951, the Election Commission of India hereby declares **Shri/Smt/Km/Ms. Gopagi Satyamanna**, H. No. 3-186, Mettupalli Village, Owk Mandal, Andhra Pradesh and a contesting candidate from **140-Banaganapalle** Assembly Constituency of the State of Andhra Pradesh in the General Election to Legislative Assembly, 2019 to be disqualified for being chosen as and for being a member of either House of Parliament or the Legislative Assembly or Legislative Council of a State or Union Territory for a period of three years from the date of this order.

By order,

AVINASH KUMAR,
Principal Secretary,
Election Commission of India.

K.VIJAYANAND,
Chief Electoral Officer,
Andhra Pradesh.